

Return Date: No return date scheduled
Hearing Date: 9/20/2019 10:00 AM - 10:00 AM
Courtroom Number: 2410
Location: District 1 Court
Cook County, IL

FILED
8/6/2019 1:49 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2019CH06369

2120 - Served 2121 - Served
2220 - Not Served 2221 - Not Served
2320 - Served By Mail 2321 - Served By Mail
2420 - Served By Publication 2421 - Served By Publication
Summons - Alias Summons

6063991
(08/01/18) CCG 0001 A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

MARTHA BENSON, individually and on behalf of all similarly
situated persons,

Plaintiffs,

v.

FIVE STAR REALTY SERVICES, INC., an Illinois corporation

Defendants.

2019CH06369

☐ SUMMONS ☒ ALIAS SUMMONS

To: Five Star Realty Services. Inc.
Monika Hajkowska
3703 N. Kedzie
Chicago, IL 60618

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance and pay the required fee **within thirty (30) days after service of this Summons**, not counting the day of service. To file your answer or appearance you need access to the internet. Please visit www.cookcountyclerkofcourt.org to initiate this process. Kiosks with internet access are available at all Clerk's Office locations. Please refer to the last page of this document for location information.

If you fail to do so, a judgment by default may be entered against you for the relief requested in the complaint.

To the Officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than thirty (30) days after its date.

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org

Page 1 of 3



Summons - Alias Summons

(08/01/18) CCG 0001 B

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>, or talk with your local circuit clerk's office.

FILED DATE: 8/6/2019 1:49 PM 2019CH08369

Q

Atty. No.: 62447

Atty. Name: Sheryl Ring | Open Communities

Atty. for: Martha Benson, et al., | Plaintiffs

Address: 900 Grove Street, 500

City: Evanston

State: IL Zip: 60201

Telephone: 847-501-5760

Primary Email: sheryl@open-communities.org

Witness: _____

8/6/2019 1:49 PM DOROTHY BROWN

DOROTHY BROWN, Clerk of Court



Date of Service: _____

(To be inserted by officer on copy left with
Defendant or other person)

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org

CLERK OF THE CIRCUIT COURT OF COOK COUNTY OFFICE LOCATIONS

- Richard J Daley Center
50 W Washington
Chicago, IL 60602
- District 2 - Skokie
5600 Old Orchard Rd
Skokie, IL 60077
- District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008
- District 4 - Maywood
1500 Maybrook Ave
Maywood, IL 60153
- District 5 - Bridgeview
10220 S 76th Ave
Bridgeview, IL 60455
- District 6 - Markham
16501 S Kedzie Pkwy
Markham, IL 60428
- Domestic Violence Court
555 W Harrison
Chicago, IL 60607
- Juvenile Center Building
2245 W Ogden Ave, Rm 13
Chicago, IL 60602
- Criminal Court Building
2650 S California Ave, Rm 526
Chicago, IL 60608
- Daley Center Divisions/Departments**
- Civil Division
Richard J Daley Center
50 W Washington, Rm 601
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- Chancery Division
Richard J Daley Center
50 W Washington, Rm 802
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- Domestic Relations Division
Richard J Daley Center
50 W Washington, Rm 802
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- Civil Appeals
Richard J Daley Center
50 W Washington, Rm 801
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- Criminal Department
Richard J Daley Center
50 W Washington, Rm 1006
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- County Division
Richard J Daley Center
50 W Washington, Rm 1202
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- Probate Division
Richard J Daley Center
50 W Washington, Rm 1202
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- Law Division
Richard J Daley Center
50 W Washington, Rm 801
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm
- Traffic Division
Richard J Daley Center
50 W Washington, Lower Level
Chicago, IL 60602
Hours: 8:30 am - 4:30 pm

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org

12-Person Jury

Hearing Date: 9/20/2019 10:00 AM - 10:00 AM
Courtroom Number: 2410
Location: District 1 Court
Cook County, IL

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

MARTHA BENSON, individually and on behalf of all similarly
situated persons,)

Plaintiffs,)

v.)

FIVE STAR REALTY SERVICES, INC., an Illinois corporation)

Defendants.)

FILED
5/23/2019 1:41 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2019CH06369

5168983

No. 2019CH06369

case#

CLASS ACTION COMPLAINT AT LAW AND EQUITY

Plaintiff MARTHA BENSON, on behalf of herself and all similarly situated persons, by and through her counsel, Sheryl Ring, Esq. of the Open Communities Legal Assistance Program, hereby respectfully complains and alleges against Defendant FIVE STAR REALTY SERVICES, INC., an Illinois corporation, as follows:

THE PARTIES

1. Plaintiff Martha Benson ("Plaintiff") is an individual who resides in Skokie, Cook County, Illinois.
2. At all times relevant, Plaintiff is an African American woman and a recipient of a Housing Authority of Cook County ("HACC") Housing Choice Voucher for a two bedroom apartment.
3. Defendant Five Star Realty Services, Inc. ("Defendant") is an Illinois corporation whose principal place of business is located at 3703 N. Kedzie Ave, Chicago, Cook County, Illinois.
4. At all times relevant, Defendant provides various real estate services throughout the Chicago area, including rental listing services, real estate sales representation, and property management.

GENERAL ALLEGATIONS COMMON TO ALL COUNTS

5. During February, 2019, Defendant advertised as available for rent a two bedroom apartment located at 8714 St. Louis Ave., Unit #2, Skokie, IL 60076 ("subject matter property").
6. The subject matter property was advertised as a 1,200 square foot two bedroom, one bathroom apartment for \$1,375.
7. Defendant advertised the subject matter property through various means, including Facebook, Zillow and Defendant's website "www.fivestarchicagoapartments.com."
8. One Facebook advertisement stated in part: "GORGEOUS 2 Bedroom + Den, Hardwood, Laundry in Building 8714 St. Louis Ave., Skokie \$1,375 <http://bit.ly/8714-2> Call 773-961-7962."
9. The Zillow advertisement directed interested applicants to call Five Star Realty Services at 773-961-7962.
10. On February 26, 2019, Plaintiff called Defendant Five Star Realty Services at 773-961-7962 to inquire about renting the subject matter property.
11. During the phone call, Plaintiff spoke with an agent/employee of Defendant.
12. During the phone call, Defendant's agent/employee told Plaintiff that this unit does not accept housing choice vouchers for rent.
13. On or about February 27, 2019, Plaintiff reported Defendant's behavior to Open Communities, a non-profit organization tasked with investigating housing discrimination and enforcing the Fair Housing Act and its related laws.
14. Open Communities performs fair housing testing throughout the northern suburbs of Chicago, including Skokie.

15. Fair housing testing is a tool to investigate housing market practices and document instances of discrimination. Typically, testing uses individuals who, without any bona fide intent to rent or purchase a home or apartment, pose as prospective buyers or renters of real estate for the purpose of gathering information. This information may indicate whether a housing provider is complying with fair housing laws.
16. On March 1, 2019, Open Communities' Fair Housing Testing Coordinator and Staff Attorney Christopher Riehlmann created a "test" to determine whether Defendant was complying with local fair housing law, specifically the Cook County Human Rights Ordinance
17. On March 2, 2019, two of Open Communities' testers called Defendant at 773-961-7962 to inquire about the availability of the subject matter property: one tester portraying a voucher recipient and the other tester portraying a non-voucher renter.
18. One of Defendant's agents/employees told the non-voucher recipient tester that the apartment was available.
19. On a subsequent telephone call, one of Defendant's agents/employees told the voucher recipient tester that the apartment is "not set up for vouchers" and that there were no other units available that did accept vouchers.
20. On March 5, 2019, the testing coordinator assigned a third part of the test to a new tester.
21. On March 5, 2019, Open Communities' third tester called Defendant at 773-961-7962 to inquire about the availability of the subject matter property and whether the landlord accepted housing choice vouchers.
22. One of Defendant's agents/employees told the housing voucher recipient tester that the landlord for this apartment does not accept housing choice vouchers.

CLASS ACTION ALLEGATIONS

23. Martha brings this action on behalf of herself and one class of similarly situated persons.
24. **Class A** consists of (1) all potential apartment applicants (2) for any apartments listed/managed by Defendant (3) in Cook County, Illinois (4) between May 1, 2017 and present (5) who utilized a Housing Choice Voucher to pay rent.
25. **Class B** consists of (1) all potential apartment applicants (2) for any apartments listed/managed by Defendant (3) in Cook County, Illinois (4) between May 1, 2017 and present (5) who utilized a Housing Choice Voucher to pay rent (6) who is African American.
26. As of the date of the filing of this complaint, Defendant manages and/or lists fifteen (15) apartments for rent in Cook County, Illinois.
27. The membership in the class is potentially in the hundreds.
28. Plaintiffs' counsel is experienced in class actions and will adequately represent the Plaintiffs' interests.
29. The people of Cook County, by and through their lawfully elected representatives, enacted an ordinance codified at County Code § 42- 30, et seq. and entitled the "Cook County Human Rights Ordinance" ("CCHRO").
30. The CCHRO prohibits any person from refusing to engage in a real estate transaction on the basis of unlawful discrimination. County Code § 42- 38.
31. A "real estate transaction is defined as "the rental . . . lease . . . of real property for residential purposes in Cook County." County Code § 42-38(a).
32. "Unlawful discrimination" means "discrimination against a person because of the actual or perceived status, practice, or expression of that person's . . . source of income." County Code §42-31.

33. Source of income is defined as “the lawful manner by which an individual supports himself or herself and his or her dependents.” County Code § 42-31.
34. The CCHRO was in force and effective at all times relevant herein.

COUNT I
TERMS AND CONDITIONS DISCRIMINATION
(Plaintiff on behalf of Class A)

35. Plaintiff restates and re-alleges Paragraphs 1-34 of this Class Action Complaint as if fully set forth herein.
36. The CCHRO states that “[n]o person shall make any distinction, discrimination, or restriction in the price, terms, conditions, or privileges of any real transaction, including the decision to engage in or renew any real estate transaction, on the basis of unlawful discrimination.” County Code § 42-38(b)(1).
37. On February 26, 2019, Defendant discriminated against Plaintiff by deciding to not engage in a real estate transaction with Plaintiff on the basis of Plaintiff’s source of income.
38. As a direct and proximate result of aforementioned actions, Plaintiff suffered and will continue to suffer injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, hereby respectfully requests this Honorable Court enter judgment in her favor and against Defendant FIVE STAR REALTY SERVICES, INC., in an amount to be proven at trial, plus costs, interest on the judgment, attorney fees, and whatever additional relief this Court deems appropriate and just under the circumstances.

COUNT II
REFUSAL OF LISTING INSPECTION
(Plaintiff on behalf of Class A)

39. Plaintiff restates and re-alleges Paragraph 1-38 of this Class Action Complaint as if fully set forth herein.

40. The CCHRO states that “[n]o person shall publish, circulate, issue, or display, or cause to be published, circulated, issued, or displayed, any communication, notice, advertisement, sign or other writing of any kind relating to a real estate transaction which will indicate or express any unlawful limitation or discrimination on the basis of unlawful discrimination.” County Code § 42-38(b)(2).
41. On February 26, 2019, Defendant deliberately and knowingly published a communication to Plaintiff that the subject matter property did not accept housing choice vouchers.
42. On March 2, 2019, Defendant deliberately and knowingly published a communication to a fair housing tester that the subject matter property did not accept housing choice vouchers.
43. On March 5, 2019, Defendant deliberately and knowingly published a communication to a fair housing tester that the subject matter property did not accept housing choice vouchers.
44. As a direct and proximate result of aforementioned actions, Plaintiff suffered and will continue to suffer injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, hereby respectfully requests this Honorable Court enter judgment in her favor and against Defendant FIVE STAR REALTY SERVICES, INC., in an amount to be proven at trial, plus costs, interest on the judgment, attorney fees, and whatever additional relief this Court deems appropriate and just under the circumstances

COUNT III
REFUSAL OF LISTING INSPECTION
(Plaintiff on behalf of Class A)

45. Plaintiff restates and re-alleges Paragraph 1-44 of this Class Action Complaint as if fully set forth herein.

46. The CCHRO states that “[n]o person shall deliberately and knowingly refuse examination of any listing of residential real property within Cook County to any individual because of unlawful discrimination.” County Code § 42-38(b)(3).
47. On February 26, 2019, Defendant deliberately and knowingly refused Plaintiff the opportunity to examine the subject matter property on the basis of Plaintiff’s source of income.
48. As a direct and proximate result of aforementioned actions, Plaintiff suffered and will continue to suffer injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, hereby respectfully requests this Honorable Court enter judgment in her favor and against Defendant FIVE STAR REALTY SERVICES, INC., in an amount to be proven at trial, plus costs, interest on the judgment, attorney fees, and whatever additional relief this Court deems appropriate and just under the circumstances.

COUNT IV
DISCRIMINATORY REPRESENTATION
(Plaintiff on behalf of Class A)

49. Plaintiff restates and re-alleges Paragraph 1-48 of this Class Action Complaint as if fully set forth herein.
50. The CCHRO states that “[n]o person shall deliberately and knowingly represent to an individual that residential real property is not available for inspection, sale, rental, or lease in Cook County when in fact it is available, or fail to bring a residential real estate listing in Cook County to an individual’s attention, or refuse to permit a person to inspect residential real property in Cook County because of unlawful discrimination.” County Code § 42-38(b)(4).

51. On February 26, 2019, Defendant deliberately and knowingly represented to Plaintiff that the subject matter property was not available for rent to her because of her status as a housing choice voucher recipient.
52. On February 26, 2019, the subject matter property was located in Cook County, Illinois and subject to the provisions of the CCHRO. As such, the subject matter property was in fact available for Plaintiff to rent.
53. As a direct and proximate result of aforementioned actions, Plaintiff suffered and will continue to suffer injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, hereby respectfully requests this Honorable Court enter judgment in her favor and against Defendant FIVE STAR REALTY SERVICES, INC., in an amount to be proven at trial, plus costs, interest on the judgment, attorney fees, and whatever additional relief this Court deems appropriate and just under the circumstances.

COUNT V
DISPARATE IMPACT
(Plaintiff on behalf of Class B)

54. Plaintiff restates and re-alleges Paragraph 1-53 of this Class Action Complaint as if fully set forth herein.
55. The people of the United States, by and through their popularly elected Congress, enacted a statute codified at 42 U.S.C. §3601 et seq. and known as the "Fair Housing Act." ("FHA").
56. The FHA was in force and effective at all times herein relevant.
57. At all times herein relevant, the subject matter property was a "dwelling" as that term is defined by 42 U.S.C. § 3602(b).

58. Pursuant to §3604(a) of the FHA, it shall be unlawful “[t]o refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color...”
59. Pursuant to §3605(a) of the FHA, “it shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color...”
60. HACC administers the Housing Choice Voucher program in the suburban Cook County area, essentially the entirety of non-Chicago Cook County.
61. In Cook County, Illinois, there are approximately 12,500 recipients of HACC housing choice vouchers.
62. Since approximately 56% of HACC public housing recipients are African American, there are an estimated 7,000 African American housing choice voucher recipients under HACC.
63. At all times relevant, Defendant had a common business practice of denying housing choice voucher recipients the opportunity to view certain apartments in the Cook County area.
64. Defendant’s policy of denying housing choice voucher recipients has a disproportionately negative impact on the majority African American housing choice voucher recipients in the Cook County area.
65. As a direct and proximate result of aforementioned actions, Plaintiff suffered and will continue to suffer injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, hereby respectfully requests this Honorable Court enter judgment in her favor and against Defendant FIVE STAR REALTY SERVICES, INC., in an amount to be

proven at trial, plus costs, interest on the judgment, attorney fees, and whatever additional relief this Court deems appropriate and just under the circumstances.

Respectfully Submitted,

/s/ Sheryl Ring
Attorney for Plaintiff
Sheryl Ring, Esq.

Sheryl Ring, Esq. #6311043/#62447
Open Communities Legal Assistance Program
990 Grove Street, Suite 500
Evanston, Illinois 60201
(847) 501-5760
sheryl@open-communities.org

NOTICE OF ATTORNEY LIEN

PLEASE TAKE NOTICE that the Plaintiffs have retained Open Communities in this matter. Open Communities shall have a claim and lien for attorney fees under all fee-shifting statutes referenced in this Complaint.

/s/ Sheryl Ring
Sheryl Ring, Esq.

AFFIDAVIT OF SPECIAL PROCESS SERVER

Case: 2019 CH 06369	Court: Circuit Court Of Cook County, Illinois	FILED 9/10/2019 12:24 PM DOROTHY BROWN
Plaintiff / Petitioner: Martha Benson, Individually and on behalf of all similarly situated persons	Defendant / Respondent: Five Star Realty Services, Inc. an Illinois Corporation	CIRCUIT CLERK COOK COUNTY, IL 2019CH06369
Received by: Carlson Investigations, Inc.	Client: Open Communities Legal Aid	6510294
Service Documents: Alias Summons and Class Action Complaint at Law and Equity		

I, William Carlson [License 115-002378], being duly sworn on oath state that I am over 18 years of age and not a party to this suit and that I am registered employee of a Illinois Private Detective Agency "Carlson Investigations, Inc. [License 117-001360]", licensed by the Illinois Department of Financial and Professional Regulation and therefore authorized, pursuant to the provisions of Chapter 735 ILCS, Code of Civil Procedure, Section 5/2-202, Illinois Compiled Statutes, to serve process in the above cause.


Further, I William Carlson effected service on Five Star Realty Services, Inc. in the following manner listed below.

Corporate Service effected on Tuesday August 20, 2019, 12:32 pm By leaving a copy of the Alias Summons and Class Action Complaint at Law and Equity with Bill Duncan - Manager who was authorized to accept service on behalf of Five Star Realty Services, Inc. c/o Monika Hajkowska [Registered Agent] .Service was effected at 3703 N. Kedzie Ave, Chicago, IL 60618.

Bill Duncan - Manager is described as follows: Male 50's Caucasian
Gender Age Ethnicity


Comments: Bill informed me the registered agent Monika Hajkowska was traveling out of the county and informed me he was in full authority to accept on behalf of the corporation.

Under penalties of perjury as provided by law pursuant to section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements are true and correct, except as to matters therein stated to be on information and belief and such matters the undersigned certifies as aforesaid that he/she verily believes same to be true.

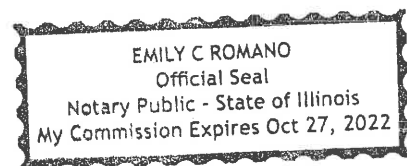


William Carlson [License 115-002378] August 21, 2019
Date

Subscribed & sworn to before me by the affiant who is personally known to me.



Notary Public August 21, 2019
Date



Return Date: No return date scheduled
Hearing Date: 9/20/2019 10:00 AM - 10:00 AM
Courtroom Number: 2410
Location: District 1 Court
Cook County, IL

12-Person Jury

FILED
9/16/2019 12:39 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2019CH06369

6582901
(04/04/19) CCG 0009

Appearance and Jury Demand *

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

CHANCERY DEPARTMENT/ 1st DISTRICT

MARTHA BENSON

Plaintiff

v.

FIVE STAR REALTY SERVICES, INC., an Illinois Corporation

Defendant

Case No. 2019 CH 06369

Claimed \$: _____

Return Date: _____ Time: _____

Court Date: _____ Room No.: _____

Address of Court District for Filing

APPEARANCE AND JURY DEMAND *

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> General Appearance | <input checked="" type="checkbox"/> 0900 - Fee Paid | <input type="checkbox"/> 0904 - Fee Waived |
| | 0908 - Trial Lawyers Appearance - No Fee | |
| <input checked="" type="checkbox"/> Jury Demand * | <input checked="" type="checkbox"/> 1900 - Appearance and Jury Demand/Fee Paid | <input checked="" type="checkbox"/> Twelve-person Jury |
| | 1904 - Appearance and Jury Demand/No Fee Paid | <input type="checkbox"/> Six-person Jury |

The undersigned enters the appearance of: Plaintiff Defendant

Litigant's Name: Five Star Realty Services, Inc.

Signature: /s/ Jeffrey E. Kehl

☒ Initial Counsel of Record Pro Se (Self-represented)

Additional Appearance Substitute Appearance

• Atty. No.: 45609 Pro Se 99500

Name: Jeffrey E. Kehl/Bryce Downey & Lenkov LLC

Atty. for (if applicable):

Defendant Five Star Realty Services, Inc.

Address: 200 North LaSalle Street, Suite 2700

City: Chicago

State: IL Zip: 60601 Phone: 312-377-1501

Primary Email: jkehl@bdlfirm.com

* Strike demand for trial by jury if not applicable.

I certify that a copy of the within instrument was served on all parties who have appeared and have not heretofore been found by the Court to be in default for failure to plead.

2810 Rule 707 Out-of-State Counsel
(pro hac vice)

IMPORTANT

Once this Appearance form is filed, photocopies of this form must be sent to all other parties named in this case (or to their attorneys) using either regular mail, fax, email or personal delivery. (See Illinois Supreme Court Rules 11 and 13 for more information.)

Pro Se Only:

I have read and agree to the terms of Clerk's Office
Electronic Notice Policy and choose to opt in to electronic
notice from the Clerk's office for this case at this email address:

Email: _____

/s/ Jeffrey E. Kehl

Attorney for Plaintiff • Defendant

Dorothy Brown, Clerk of the Circuit Court of Cook County, Illinois

cookcountyclerkofcourt.org

Return Date: No return date scheduled
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9/16/2019 12:39 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2019CH06369

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CHANCERY DIVISION**

MARTHA BENSON

Plaintiff,

v.

FIVE STAR REALTY SERVICES, INC,
an Illinois Corporation

Defendant.

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No. 2019 CH 06369

6582901

NOTICE OF MOTION

TO: Sheryl Ring, Esq.
Open Communities Legal Assistance Program
990 Grove Street, Suite 500
Evanston, IL 60201
sheryl@open-communities.org

On **September 20, 2019**, at **10:00 a.m.**, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Anna M. Loftus in Room 2410 or any Judge sitting in her stead, in the courtroom usually occupied by her at the Richard J. Daley Center, Chicago, Illinois, and shall then and there present **Defendant's Motion for Extension of Time to Answer or Otherwise Plead**, a copy of which is attached hereto.

/s/ Jeffrey E. Kehl

Storrs W. Downey
Jeffrey Kehl
Bryce Downey & Lenkov LLC (#45609)
200 N. LaSalle St., Ste. 2700
Chicago, IL 60601
Phone: (312) 377-1501
Fax: (312) 377-1502
sdowney@bdlfirm.com
jkehl@bdlfirm.com

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that I served the above and forgoing Notice and Motion via e-mail to the designated e-mail address of record as indicated in the above Notice on or before September 16, 2019, before the hour of 5:00 P.M. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the preceding sentence is true and correct.

/s/ Jeffrey E. Kehl

FILED
9/16/2019 12:39 PM
DOROTHY BROWN
CIRCUIT CLERK
COOK COUNTY, IL
2019CH06369

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CHANCERY DIVISION**

MARTHA BENSON

Plaintiff,

V.

FIVE STAR REALTY SERVICES, INC,
an Illinois Corporation

Defendant.

No. 2019 CH 06369

MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD

Defendant, FIVE STAR REALTY SERVICES, INC., by and through its attorneys, BRYCE DOWNEY & LENKOV LLC, and moves for Court for an extension of time to November 1, 2019, to answer or otherwise plead. In support thereof, Defendant states as follows:

- 1) Defendant Five Star Realty Services, Inc. was served Plaintiff's Complaint on August 21, 2019.
- 2) Defendant Five Star Realty Services, Inc. filed its appearance and jury demand on September 16, 2019.
- 3) Attorneys for the Defendant Five Star Realty Services, Inc. have been unable to complete their investigation before an answer and/or motion can be plead. Defendant Five Star Realty Services, Inc. is asking for 45 days, or until November 1, 2019 to answer or otherwise plead to Plaintiff's complaint.

WHEREFORE, Defendant Five Star Realty Services, Inc. requests this Court to enter an order granting it leave until November 1, 2019 to answer or otherwise plead to Plaintiff's complaint.

FILED DATE: 9/16/2019 12:39 PM 2019CH06369

Respectfully submitted,

BRYCE DOWNEY & LENKOV LLC

BY: /s/ Jeffrey E. Kehl
One of the Attorneys for Defendant

Storrs W. Downey
Jeffrey E. Kehl
Bryce Downey & Lenkov LLC (#45609)
200 N. LaSalle Street, Suite 2700
Chicago, IL 60601
sdowney@bdlfirm.com
jkehl@bdlfirm.com
Phone: (312) 377-1501
Fax: (312) 377-1502

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that I served the above and forgoing Motion for Extension of Time of Answer or Otherwise Plead, via e-mail to the designated e-mail address of record below on September 16, 2019, before the hour of 5:00 P.M. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the preceding sentence is true and correct.

Sheryl Ring, Esq.
Open Communities Legal Assistance Program
990 Grove Street, Suite 500
Evanston, IL 60201
sheryl@open-communities.org

/s/ Jeffrey E. Kehl